



## AGENDA MEMORANDUM

Public Hearing and First Reading Ordinance for the City Council Meeting of September 24, 2013  
Second Reading Ordinance for the City Council Meeting of October 8, 2013

**DATE:** September 3, 2013

**TO:** Ronald L. Olson, City Manager

**FROM:** Mark E. Van Vleck, P.E., Director, Development Services Department  
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**Rezoning from Multifamily and Single-Family with Island Overlays  
To Multifamily with an Island Overlay and a Planned Unit Development Overlay  
For Doug Shaw  
Property Address: 15013 - 15029 Leeward Drive and 15022 Aruba Drive**

### **CAPTION:**

Case No. 0813-04 Doug Shaw: A change of zoning from the "RM-AT/IO" Multifamily AT District with an Island Overlay and the "RS-6/IO" Single-Family 6 District with an Island Overlay to the "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay. The property is described as Lots 5 and 14-18, Block 2, Section E, Padre Island - Corpus Christi, located between Aruba and Leeward Drives, approximately 200 feet south of Running Light Drive.

### **PURPOSE:**

The purpose of this item is rezone the subject property to allow 23 townhomes as part of a Planned Unit Development.

### **RECOMMENDATION:**

#### Planning Commission and Staff Recommendation (August 28, 2013):

Approval of the change of zoning from the "RM-AT/IO" Multifamily AT District with an Island Overlay and the "RS-6/IO" Single-Family 6 District with an Island Overlay to the "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay, subject to the following 10 conditions.

1. **Master Site Plan:** The Owners shall develop the Property in accordance with the Master Site Plan as shown in Exhibit B and the Plat as shown in Exhibit C. The development of the Property is to consist of 23 townhouse units and shall be constructed in one phase.

2. **Dwelling Units per Acre:** The density of dwelling units on the Property shall not exceed 17.83 dwelling units per acre.
3. **Building Height:** The maximum height of structures within the Property is 30 feet.
4. **Parking:** The property must have a minimum of 46 standard parking spaces (9 feet wide by 18 feet long) and six parallel parking spaces (8 feet wide by 20 feet long). Parking is prohibited within the private street and pedestrian walkways.
5. **Setbacks and Lot Width:** Minimum setback shall be 10 feet along Leeward Drive and 20 feet along Aruba Drive. Minimum 20-foot wide front yard setbacks shall be provided for each lot along the private street. Minimum rear yard setbacks for all lots shall be five feet. Minimum building separation between unattached townhouse units shall be 10 feet. Minimum five-foot wide side yard is required along Lots 10, 16 and 22 and a minimum 2.5-foot wide side yard is required for Lots 1 and 9. Minimum width for townhouse lots shall be 20 feet.
6. **Open Space:** The Property must maintain a minimum of 26.5% open space. Any surfaces constructed within the required minimum open space must be constructed of pervious material.
7. **Private Street Access:** The Property shall provide a private street with a width of not less than 24 feet. The private street shall be striped to indicate "Fire Lane/No Parking."
8. **Pedestrian Access:** A minimum five-foot wide sidewalk is required to be constructed along one side of the private street.
9. **Dumpster Screening:** A minimum seven-foot tall masonry screening wall shall be constructed, maintained, and remain in place around a dumpster located adjacent to a single-family zoned property.
10. **Time Limit:** Construction of the development shall commence within 24 months from the date this modified Planned Unit Development ordinance is approved by the City Council.

### **BACKGROUND AND FINDINGS:**

As detailed in the attached Zoning Report, the applicant is requesting a change of zoning from the "RM-AT/IO" Multifamily AT District with an Island Overlay and the "RS-6/IO" Single-Family 6 District with an Island Overlay to the "RM-AT/IO/PUD" Multifamily AT District with an Island Overlay and a Planned Unit Development Overlay for a 23-unit townhouse development.

Planned Unit Developments (PUDs) allow for reasonable deviations from required development standards and allow increased flexibility in project design. The proposed PUD for a townhouse development will deviate from development standards with regards to lot size, lot width, open space, street width, curb type and sidewalk design. The proposed PUD is consistent with the Comprehensive Plan, is compatible with the surrounding developments, and would not have a negative impact on surrounding properties. The subject property is also suited for the proposed project.

**ALTERNATIVES:**

- 1. Modify the conditions of the Planned Unit Development; or
- 2. Deny the request.

**OTHER CONSIDERATIONS:**

Not Applicable

**CONFORMITY TO CITY POLICY:**

The subject property is located within the boundaries of the Mustang-Padre Island Area Development Plan and the proposed rezoning is consistent with the adopted Future Land Use Plan, which slates the property for a tourist use.

**EMERGENCY / NON-EMERGENCY:**

Non-Emergency

**DEPARTMENTAL CLEARANCES:**

Planning/Environmental Services, Legal, and Planning Commission

**FINANCIAL IMPACT:**

- Operating     
  Revenue     
  Capital     
  Not applicable

<b>Fiscal Year: 2013-2014</b>	<b>Project to Date Expenditures (CIP only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

**Comments:** None

**LIST OF SUPPORTING DOCUMENTS:**

- Aerial Overview Map
- Zoning Report with Attachments
- Ordinance with Exhibits